

**STATE DRIVING BUSINESSES LICENSURE BOARD**

**Bureau of Occupational Licenses**

700 West State Street, P.O. Box 83720

Boise, ID 83720-0063

**Conference Call Minutes of 5/3/2013**

**BOARD MEMBERS PRESENT:** Jason Jerome - Chair  
David Mason  
Michael Dillon  
Dallas Forester

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, Legal Counsel  
Carrie Gilstrap, Technical Records Specialist II

**OTHERS PRESENT:** Doug Pottenger  
Anita Hamann, Div. of Financial Management  
Paul Cox

The meeting was called to order at 12:02 PM MDT by Jason Jerome.

**APPROVAL OF MINUTES**

Mr. Dillon made a motion to approve the minutes of 11/30/2012. It was seconded by Mr. Mason. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said that the Board's proposed rule changes did not pass in the Legislature.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board has a negative cash balance of (\$16,204.57) as of 4/30/2013.

**INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

**FOR BOARD DETERMINATION**

Mr. Mason made a motion to approve the Bureau's recommendation and authorize closure in cases I-DRB-2013-1 and I-DRB-2013-2. It was seconded by Mr. Dillon. Motion carried.

## **OLD BUSINESS**

### **FEE COLLECTED BY THE IDAHO TRANSPORTATION DEPARTMENT (ITD)**

Ms. Hamann, Budget Analyst for the Division of Financial Management (DFM), approached the Members of the Board. She stated that she followed up with the Board's request to obtain information on the \$5.00 fee that is collected from each student when they obtain a driver's license permit. Ms. Hamann reported that this money is collected by the Transportation Department. It then goes to various programs within the Department of Education.

Ms. Cory stated that the fees paid from licensees support the Board and that no other funds are received from outside entities for any licensing Board.

It was stated that any legislation to propose a change to the fee collected by the Idaho Transportation Department should go through the Association rather than the Board.

## **NEW BUSINESS**

### **ON-LINE COURSE PRESENTATION**

Mr. Cox approached the Members of the Board. He provided a brief summary of his background and stated he was ultimately seeking Board approval for an online course he had started to develop. Mr. Cox presented the components he had thus far for the Board to review and comment on. Based upon the Board's comments, Mr. Cox will be moving forward with the development of the remaining components as are required in Board Rule.

### **BOARD CORRESPONDENCE/PUBLIC COMMENT**

Mr. Pottenger approached the Members of the Board. He stated that he has trouble finding qualified licensed instructors to employ for his driving business and this creates a hardship for him. He stated he would like for there to be a way that qualified public school driving instructors could obtain licensure without having to complete the full apprenticeship training as required in the current laws and rules which is more appropriate for individuals that have no prior driver's training experience.

The Board asked Mr. Pottenger to send written correspondence summarizing all of his concerns and ideas for the Board to review.

The Board also reviewed correspondence submitted by Ms. Amy Wernsing, Special Assistant with the Office of the Governor. This correspondence was to bring awareness to the Board ongoing concerns they hear about having only one route to licensure that is via the apprenticeship training program. Ms. Wernsing asked that the Board seek a solution to this problem in time for the next Legislative Session.

Discussion was held on the Board's drafted law change that was last tabled in August 2011 regarding this issue. Mr. Jerome stated he wants to move forward with this proposed law change.

Mr. Mason made a motion to direct Bureau staff to submit this to DFM and the Governor's office for review for submission to the 2014 Legislature. It was seconded by Mr. Dillon. Motion carried.

The Board will also schedule a conference call meeting prior to the deadline for its final approval for submission.

The Board read correspondence submitted by Mr. Campos regarding the cost of fees since the creation of the driving businesses licensure board. No action was taken.

## **STATEWIDE DRIVERS ASSESSMENT**

The Board asked Ms. Gilstrap to forward information once it's been received about an upcoming statewide assessment of the driver education program.

## **DISCUSSION RE: LAW AND RULE CHANGES**

Discussion was held on the drafted rule changes that were sent for Board review. These changes were drafted to conform with a new law change regarding the acceptance of the fees paid for the required fingerprint-based background checks.

The drafted rule changes also included a different process for apprenticeship permit applicants in that the required documentation would be submitted to the Bureau's office rather than to the Business owner for verification the applicant meets the requirements for the issuance of the permit.

Mr. Dillon made a motion to approve the temporary proposed rule changes and submit them to the Governor as drafted. It was seconded by Mr. Mason. Motion carried.

## **SUPERVISOR ATTESTATION FOR APPRENTICESHIP PROGRAM**

Mr. Dillon made a motion to approve the revised application for a driving instructor apprentice permit. It was seconded by Mr. Mason. Motion carried.

Mr. Mason made a motion to approve the Chair to review for approval the complete applications for the apprenticeship training program permit. It was seconded by Mr. Dillon. Motion carried.

**NEXT MEETING** was scheduled as a conference call to review the drafted law/rule changes for Friday June 21<sup>st</sup> at 12:30 PM MST.

## **EXECUTIVE SESSION**

Mr. Dillon made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Mason. The vote was: Mr. Jerome, aye; Mr. Mason, aye; and Mr. Dillon, aye. Motion carried.

Mr. Dillon made a motion to come out of executive session. It was seconded by Mr. Mason. The vote was: Mr. Jerome, aye; Mr. Mason, aye; and Mr. Dillon, aye. Motion carried.

## **APPLICATIONS**

Mr. Mason made a motion to approve the following for licensure upon receipt of satisfactory fingerprint background check results:

APPLICANT ID 901114598

APPLICANT ID 901110922

APPLICANT ID 901111177

It was seconded by Mr. Dillon. Motion carried.

Mr. Mason made a motion to hold the approval of the apprenticeship training program pending receipt of clarification of scope and sequence and allow the Chair to review and approve the application at that time:

APPLICANT ID 901108487

It was seconded by Mr. Dillon. Motion carried.

## **ADJOURNMENT**

Mr. Mason made a motion to adjourn the meeting at 2:10 PM MST. It was seconded by Mr. Dillon. Motion carried.

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Jason Jerome, Chair

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David Mason

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Michael Dillon

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Dallas Forester

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Tana Cory, Bureau Chief